



Order Filed on January 15, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Christian Del Toro, 210132016
MARTONE AND UHLMANN, A
PROFESSIONAL CORPORATION
777 PASSAIC AVE
CLIFTON, NJ 07012
(973) 473-3000
ATTORNEYS FOR SECURED
CREDITOR/SERVICING AGENT
HAVEN SAVINGS BANK
27.0908

In re:

MICHAEL KALFUS AND ROBIN KALFUS

Case No.: 18-13396

Chapter: 13

Hearing Date: January 14, 2020

Judge: Hon. Vincent F. Papalia

**ORDER DENYING TRUSTEE'S MOTION FOR ENTRY OF AN ORDER (I) FIXING THE
AMOUNT OF HAVEN SAVINGS BANK'S CLAIM AS OF APRIL 13, 2018 PURSUANT TO
FED. R. BANKR. P. 3007 AND 11 U.S.C. SECTION 502; AND (II) FOR TURNOVER OF
OVERPAYMENT TO THE ESTATE PURSUANT TO 11 U.S.C. SECTION 542(A)
(REAL PROPERTY)**

The relief set forth on the following pages numbered two (2) through two (2) is hereby

ORDERED

DATED: January 15, 2020



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: MICHAEL KALFUS AND ROBIN KALFUS
Case No.: 18-13396
Caption of Order: ORDER DENYING TRUSTEE'S MOTION FOR ENTRY OF AN ORDER
(I) FIXING THE AMOUNT OF HAVEN SAVINGS BANK'S CLAIM AS OF
APRIL 13, 2018 PURSUANT TO FED. R. BANKR. P. 3007 AND 11
U.S.C. SECTION 502; AND (II) FOR TURNOVER OF OVERPAYMENT
TO THE ESTATE PURSUANT TO 11 U.S.C. SECTION 542(A)

This matter being opened to the Court by Steven P. Kartzman, Chapter 7 Trustee upon the filing of Motion for Entry of an Order (I) Fixing the Amount of Haven Savings Bank's Claim as of April 13, 2018 Pursuant to Fed. R. Bankr. P. 3007 and 11 U.S.C. Section 502; and (II) for Turnover of Overpayment to the Estate Pursuant to 11 U.S.C. Section 542(a); and Objection to the same filed by Martone and Uhlmann, a Professional Corporation on behalf of Haven Savings Bank, Secured Creditor, and due notice of said Motion having been given by mail to the Debtor and the attorney for the Debtor, the matter being heard before the Court on January 14, 2020 and having issued an oral decision on the Motion at the conclusion of January 14, 2020 hearing; and for good cause shown, it is

1. ORDERED that for all of the reasons set forth by the Court on the record at the January 14, 2020 hearing, the Motion for Entry of an Order (I) Fixing the Amount of Haven Savings Bank's Claim as of April 13, 2018 Pursuant to Fed. R. Bankr. P. 3007 and 11 U.S.C. Section 502; and (II) for Turnover of Overpayment to the Estate Pursuant to 11 U.S.C. Section 542(a) is denied;

In re:
Michael Kalfus
Robin Kalfus
Debtors

Case No. 18-13396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Date Rcvd: Jan 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 18, 2020.
db/jdb +Michael Kalfus, Robin Kalfus, 7 Lakeview Terrace, Montville, NJ 07045-9158

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 18, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 16, 2020 at the address(es) listed below:

Anthony Sodono, III on behalf of Joint Debtor Robin Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Debtor Michael Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Michael Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Robin Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Michael and Robin Kalfus asodono@msbnj.com
 Caitlin Conklin on behalf of Creditor Lakeland Bank caitlin.conklin@klgates.com
 Charles G. Wohlrab on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) cwohrlab@LOGS.com, njbankruptcynotifications@logs.com
 Charles Michael Rowan on behalf of Creditor Albert Kenney mrowan@saul.com
 Christian Del Toro on behalf of Creditor Haven Savings Bank cdeltoro@martonelaw.com, bky@martonelaw.com
 David Gerardi on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov
 Denise E. Carlon on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Forrest Scott Turkish on behalf of Attorney Forrest Turkish fsturkish@aol.com
 Frank J Martone on behalf of Creditor Haven Savings Bank bky@martonelaw.com
 Guillermo Gonzalez on behalf of Joint Debtor Robin Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; mmack@scura.com; lrichard@scura.com; martinezcr93878@notify.bestcase.com; agouveia@scura.com
 Guillermo Gonzalez on behalf of Debtor Michael Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; mmack@scura.com; lrichard@scura.com; martinezcr93878@notify.bestcase.com; agouveia@scura.com
 John O'Boyle on behalf of Plaintiff Osborn Financial Group, LLC joboyale@norgaardfirm.com, sferreira@norgaardfirm.com; 184grandno@gmail.com; kcimmimo@norgaardfirm.com
 John A. Fialcowitz on behalf of Plaintiff Fishman consulting group, llc john.fialcowitzlaw.com
 Joseph L. Schwartz on behalf of Interested Party The County of Morris, Morris County Sheriff's Office jschwartz@riker.com
 Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net
 Judah B Loewenstein on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net
 Mark E. Hall on behalf of Mediator Mark Hall mhall@foxrothschild.com, cbrown@foxrothschild.com
 Matteo Percontino on behalf of Creditor Lakeland Bank matt.percontino@cohnreznick.com, matteo.percontino@klgates.com
 Melissa S DiCerbo on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) nj-ecfmail@mwcc-law.com, nj-ecfmail@ecf.courtdrive.com
 Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
 Richard James Tracy, III on behalf of Creditor The Bank of New York Mellon, FKA The Bank of New York, as Trustee for the Certificateholders of Cwalt Alternative Loan Trust 2005-J9, Mortgage Pass-Through Certificates, Series 2005-J9 by its servicer rtracy@hillwallack.com, tshariff@schillerknapp.com; kcollins@schillerknapp.com; ahight@schillerknapp.com
 Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfbis.com; jloewenstein@msklaw.net

District/off: 0312-2

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 1

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Steven P. Kartzman kartztee@optonline.net,
jzapata@msklaw.net;njl6@ecfcbis.com;jloewenstein@msklaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William L. Waldman on behalf of Creditor Lakeland Bank william.waldman@klgates.com,
waldmanw@aol.com

TOTAL: 29